IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2171 OF 2006
IN
APPEAL (L) NO.525 OF 2006
IN
NOTICE OF MOTION NO.639 OF 2006
IN
SUIT NO.3342 OF 1985

M/s.National (India) Contractors & Engineers .. Appellants
V/s
Kantilal Hukumchand Jain & Ors. .. Respondent Nos.1 to 5
AND
Banoo Pesi Tata & Ors. .. Respondent Nos.6 to 11

Mr.A.Q.Motiwala for the Appellants.

Ms.K.S.Bharucha i/by M/s.Desai & Chinoy for the Respondents.

CORAM: DR.S.RADHAKRISHNAN & S.J.VAZIFDAR, JJ.

DATE : 28TH JULY, 2006.

P.C.:

1. Heard the learned Counsel for the parties. Perused the affidavit in support fo the Notice of Motion. For the reasons stated therein sufficient cause is made out for condoning the delay caused in filing the Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the Appeal on board for admission on 21.08.2006.

(DR.S.RADHAKRISHNAN, J.)

(S.J.VAZIFDAR,J.)